

ENVIRONMENTAL PROTECTION COMMISSION
REGULAR MEETING/PUBLIC HEARING
MINUTES

October 7, 2009

7:30 P.M.

Room 206, Town Hall

Chairman Hillman called the meeting to order at 7:30 P.M.

Commission Members Present: Peter Hillman, Craig Flaherty; Susan Cameron, Michael Tone, Pete Kenyon, Wynne Shapiro, and Rick Rohr

Staff Present: Richard Jacobson

Court Reporter: Bonnie Syat

Mr. Hillman called the first agenda item:

EPC-22-2009, Sharathchandra Pankanti, 2 Harriett Lane, proposing to pave gravel driveway.

Mr. Pankanti represented himself. He said he would like to pave an existing driveway that is compacted dirt and gravel.

Mr. Kenyon asked if he had considered pervious asphalt. Mr. Flaherty described the various types of porous pavements. Mr. Pankanti said the existing driveway is already heavily compacted.

Ms. Cameron made a motion to approve the application. Mr. Tone seconded the motion and it passed unanimously.

Mr. Hillman called the next agenda item:

EPC-23-2009, Malcolm and Edna MacLean, 5 Driftway Lane, proposing an addition within the upland review area.

Mrs. MacLean represented herself.

Mr. Hillman asked if she would be willing to provide wetland plantings to replace the vegetation to be removed. Mrs. MacLean said yes.

Mr. Flaherty made a motion to approve the application with the stipulation that a wetland area equal to the new patio in the upland review area be planted according to a plan approved by staff. Ms. Cameron seconded the motion and it passed 6-0. Ms. Shapiro abstained.

Mr. Hillman called the next agenda item:

EPC-29-2009, Nigel and Ghislaine Longton, 41 Delafield Island Road, proposing an addition and patio within an upland review area.

Mr. Rohr was recused for this application

Scott Duffield, Architect and Steven Danzer, Wetland Scientist, represented the applicant.

Mr. Duffield said they have submitted a report from Mr. Danzer to address the Commission's previous concerns.

Mr. Flaherty discussed his concern for the need to be consistent in addressing the Town's new storm water regulations and the EPC and P&Z Commission's requirement that waivers only be granted when adequate reasons are provided by an applicant.

Mr. Danzer discussed his report and observations of the site, and his conclusion that storm water detention is not necessary for this proposal.

Mr. Hillman asked if the applicant had contemplated the additions prior to the plantings done on the site. Mr. Duffield said no.

Ms. Cameron asked if the applicant would be willing to provide additional plantings in the wetland south of the house in the direction of the stormwater flow. Mr. Duffield said they would be willing to plant more.

Mr. Kenyon made a motion to approve the application with the stipulation that a wetland area to the south of the house and equivalent to the area of the new additions be planted with wetland plantings. Mr. Flaherty seconded the motion and it passed 6-0. Ms. Shapiro abstained.

Mr. Flaherty discussed the availability of the new topographic maps and aerial photos which applicants may use for the analysis of stormwater runoff. The Commission may require more detailed information on the topography of properties and the surrounding area when it is appropriate.

Mr. Hillman called the next agenda item:

EPC-25-2009, Jean Cambridge, 19 Renshaw Road, proposing fence construction within an upland review area.

The Commission discussed the issues involved with installing a fence within a floodplain. Mr. Flaherty and Ms. Cameron expressed concerns and said they would be reluctant to approve the application without additional information and alternatives.

Ms. Cambridge said she would prefer to withdraw the application then receive a denial without prejudice and will work with staff if she decides to re-submit.

Mr. Hillman called the next agenda item:

EPC-32-2009, William D. Corcoran, Jr., 327 Middlesex Road, proposing construction of a rain garden within the upland review area to receive sump pump discharge.

Tom Nelson, P.E. and Jim Lavato, JPC Design represented the applicant. Mr. Nelson described the existing conditions and the proposed new discharge to a rain garden. Mr. Lavato provided photos of the existing mold condition in the basement.

Ms. Cameron asked them to notify the applicant or landscaper that the yard debris in the regulated area needs to be removed and the area no longer used for dumping yard waste.

Mr. Tone asked about the volume of the water being discharged. Mr. Nelson said 0.0085 cfs. at the most. He said the discharge would not be coincident with the peak of the storm.

Mr. Flaherty noted that the applicant is taking an existing uncontrolled sump discharge and directing it to a storage area, thereby making the situation better.

Ms. Cameron said she was swayed by the expert testimony on 5 Holly Lane that the sump pump discharge is not impacting flood events. She said the decision on this application should reflect that the Commission does not find any impact on flooding and that a public hearing is not necessary. She also requested the decision take note of the existing mold problem to be corrected.

Ms. Cameron made a motion to approve the application with the above findings. Mr. Flaherty seconded the motion and it passed unanimously.

Mr. Hillman called the next agenda item:

EPC-33-2009, Carmen Molinas and Mark DeAngelis, 16 Stony Brook Road, proposing a house addition within an upland review area.

Jacek Bigozinski, Architect represented the applicant.

Mr. Bigozinski said there is a very small change in the footprint of the house with the upland review area. They are providing stormwater management for the site.

Ms. Cameron said the property was the subject of a previous violation and the restoration area is doing well. She said she was concerned that the proposed bio-retention basin is in an area of ledge.

Mr. Flaherty said he would like test holes anytime there is a proposal to provide infiltration.

The Commission held this application over until November 4 to allow the applicant to provide test hole data.

EPC-33-2006, Janice Qualben, 15 Shagbark Road, requesting amendment to approved plan to address stormwater management.

Aleksandra Moch, Soil Scientist, represented the applicant. She said this is a previously approved application which is being amended to address storm water management.

Ms. Cameron requested they provide pavers for Belgian block or a distance of about 10 feet on either side of the stream to prevent the gravel from being plowed into the watercourse.

Mr. Hillman made a motion to approve the application. Mr. Tone seconded the motion and it passed 6-1. Mr. Rohr was opposed.

Mr. Hillman called the following public hearing item:

EPC-27-2009, Timothy and Diana Welch, 181 Hoyt Street, proposing house construction within an upland review area.

Doug DiVesta, P.E. and Aleksandra Moch, Wetland Scientist represented the applicant.

Mr. DiVesta described the existing site conditions. He said the proposed drainage system is designed to reduce peak runoff flows from the site.

Ms. Moch described the wetland functions and values for the site.

Mr. DiVesta reviewed the letter and report he submitted addressing the questions raised by the Commission at the last meeting.

Mr. Flaherty asked about the construction on the adjacent property. Mr. Welch said they have a contract with the adjacent owner to pave and construct a portion of the proposed walls.

Mr. Flaherty discussed the location of the proposed detention system and the need for additional test hole data in that specific area. He said the applicant may be able to lower the system.

The public hearing was left open and continued to November 4 to allow the applicant to submit the additional test hole data.

Ms. Cameron made a motion to approve the minutes of September 2, 2009 as amended. Mr. Flaherty seconded the motion and it passed 5-0. Mr. Hillman and Ms. Shapiro abstained.

The Commission adopted the meeting schedule for 2010

Mr. Kenyon made a motion to adjourn. Ms. Cameron seconded the motion and it passed unanimously.

The meeting adjourned at 10:00 P.M.

Respectfully submitted,

Richard B. Jacobson
Environmental Protection Officer